

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

U.S. BANK NATIONAL ASSOCIATION,  
Plaintiff,

v.

B-R PENN REALTY OWNER, LP.,  
Defendant.

CIVIL ACTION

NO. 21-0502

**ORDER**

AND NOW, this 1st day of July, 2021, upon consideration of Plaintiff's Motion to Dismiss for Failure to State a Claim (ECF 13), Defendant's Response thereto (ECF 20), and Plaintiff's Reply (ECF 21), **IT IS HEREBY ORDERED** that the Motion is **GRANTED** and Defendant's counterclaims are **DISMISSED**.

**BY THE COURT:**

*/s/ Wendy Beetlestone*

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**WENDY BEETLESTONE, J.**